



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution Authorizing City Manager to Execute Contract for Elm Street Asphalt Concrete Overlay Project, Hutchins Street to Church Street with Biondi Paving, Inc., of Sacramento (\$129,977), Appropriating Funds (\$160,000); and Amending Traffic Resolution No. 97-148 by Designating Parking for Physically Handicapped Persons at 215 West Elm Street

MEETING DATE: September 7, 2011

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Adopt resolution authorizing City Manager to execute contract for Elm Street asphalt concrete overlay project, Hutchins Street to Church Street, with Biondi Paving, Inc., of Sacramento, in the amount of \$129,977, appropriating funds in the amount of \$160,000 and amending Traffic Resolution No. 97-148 by designating parking for physically handicapped persons at 215 West Elm Street.

BACKGROUND INFORMATION: This project consists of installing an asphalt concrete overlay with pavement fabric and other incidental and related work, all as shown on the plans and specifications for the project. The locations of the street improvements are shown on Exhibit A.

This project will also install an on-street van-accessible handicap parking stall at 215 West Elm Street, in front of the Lodi Police Station. Staff is recommending City Council adopt a resolution to amend Traffic Resolution No. 97-148 to add the handicap parking stall.

Plans and specifications for this project were approved on July 20, 2011. The City received the following eight bids for this project on August 16, 2011.

| Bidder | Location | Bid |
|----------------------------|-----------------|---------------|
| Engineer's Estimate | | \$ 151,031.00 |
| Biondi Paving, Inc. | Sacramento | \$ 129,977.00 |
| Knife River Construction | Stockton | \$ 133,714.50 |
| A.M. Stephens Construction | Lodi | \$ 136,711.00 |
| Granite Construction | Stockton | \$ 136,985.00 |
| George Reed, Inc | Modesto | \$ 144,420.00 |
| Galedrige Construction | Alviso | \$ 163,426.85 |
| Cazadores Construction | El Dorado Hills | \$ 182,469.00 |
| Legg, Inc. | Livermore | \$ 198,966.80 |

Staff recommends appropriating \$160,000 to cover the contract, engineering, inspection and project contingencies.

FISCAL IMPACT: The project will reduce the street maintenance costs in the area.

APPROVED:

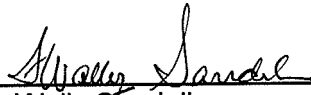
Konradt Bartlam, City Manager

Adopt Resolution Authorizing City Manager to Execute Contract for Elm Street Asphalt Concrete Overlay Project, Hutchins Street to Church Street with Biondi Paving, Inc., of Sacramento (\$129,977), Appropriating Funds (\$160,000); and Amending Traffic Resolution No. 97-148 by Designating Parking for Physically Handicapped Persons at 215 West Elm Street
September 7, 2011
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| | | |
|---------------------------|-----------------------------|------------------|
| FUNDING AVAILABLE: | Proposition 42 funds (337): | \$ 79,000 |
| | Measure K (325): | \$ 56,400 |
| | Measure K Bike/Ped (325): | <u>\$ 24,600</u> |
| | Total: | \$160,000 |



Jordan Ayers
Deputy City Manager/Internal Services Director



F. Wally Sandelin
Public Works Director

Prepared by Lyman Chang, Senior Civil Engineer
FWS/LC/pmf
Attachment
cc: Deputy Public Works Director – Utilities
Senior Civil Engineer
Biondi Paving, Inc.



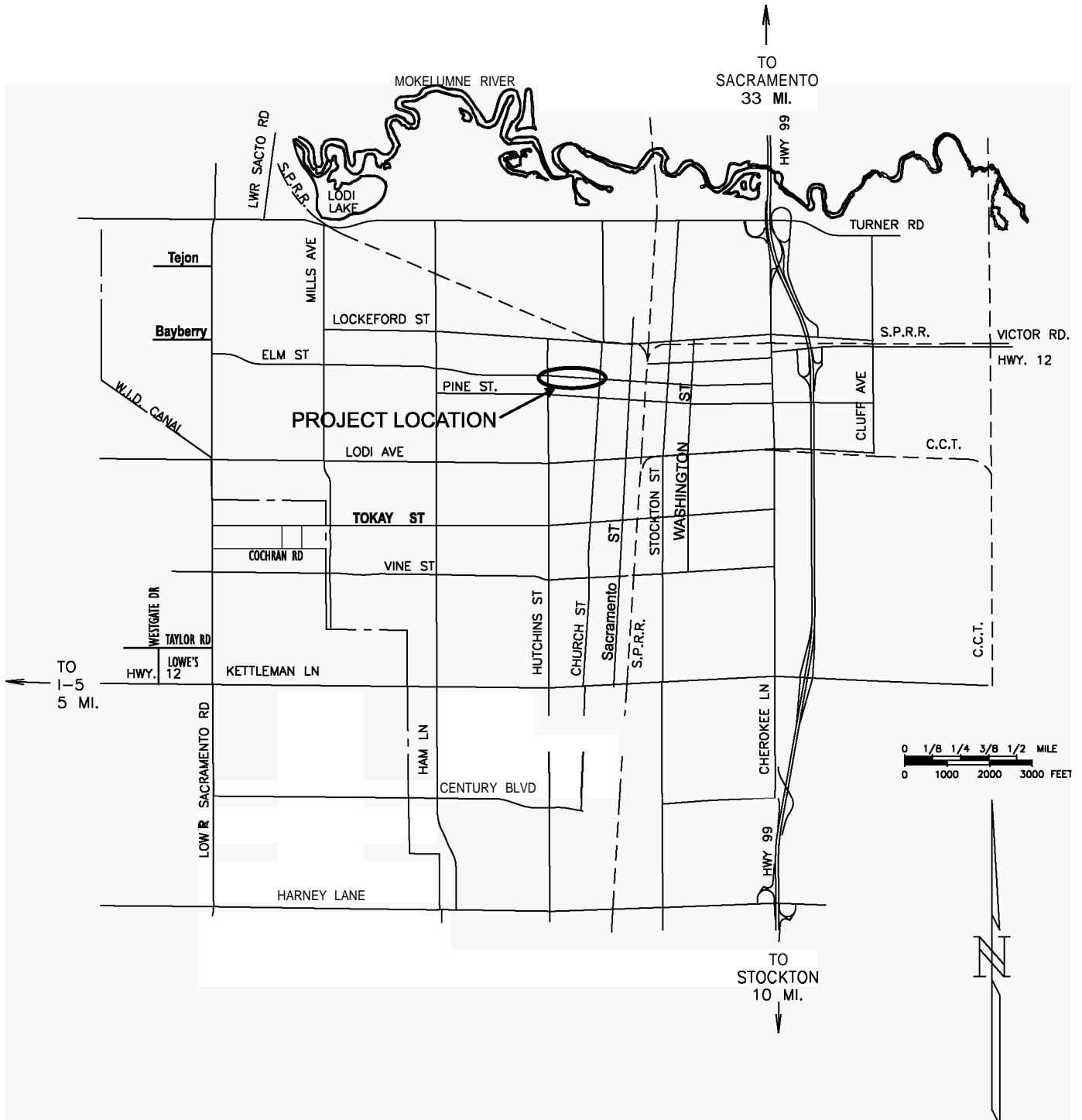
CITY OF LODI

PUBLICWORKSDEPARTMENT

Exhibit A

Elm Street Overlay

Hutchins St to Church St



ELM STREET ASPHALT CONCRETE OVERLAY
Hutchins Street to Church Street

CONTRACT

CITY OF LODI, CALIFORNIA

THIS CONTRACT made by and between the CITY OF LODI, State of California, herein referred to as the "City," and BIONDI PAVING, INC., herein referred to as the "Contractor."

WITNESSETH:

That the parties hereto have mutually covenanted and agreed, and by these presents do covenant and agree with each other, as follows:

The complete Contract consists of the following documents, which are filed in the Public Works Department and which are incorporated herein by this reference, to-wit:

| | |
|------------------------|-------------------------------------|
| Notice Inviting Bids | The July 2002 Edition, |
| Information to Bidders | Standard Specifications, |
| General Provisions | State of California, |
| Special Provisions | Business and Transportation Agency, |
| Bid Proposal | Department of Transportation |
| Contract | |
| Contract Bonds | |
| Plans | |

All of the above documents, sometimes hereinafter referred to as the "Contract Documents," are intended to cooperate so that any work called for in one and not mentioned in the other is to be executed the same as if mentioned in all said documents.

ARTICLE I - That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the City and under the condition expressed in the two bonds bearing even date with these presents and hereunto annexed, the Contractor agrees with the City, at Contractor's cost and expense, to do all the work and furnish all the materials except such as are mentioned in the specifications to be furnished by the City, necessary to construct and complete in a good workmanlike and substantial manner and to the satisfaction of the City the proposed improvements as shown and described in the Contract Documents which are hereby made a part of the Contract.

ARTICLE II - The City hereby promises and agrees with the Contractor to employ, and does hereby employ, the Contractor to provide all materials and services not supplied by the City and to do the work according to the terms and conditions for the price herein, and hereby contracts to pay the same as set forth in Section 5.600, "Measurement, Acceptance and Payment," of the General Provisions, in the manner and upon the conditions above set forth; and the said parties for themselves, their heirs, executors, administrators, successors and assigns, do hereby agree to the full performance of the covenants herein contained.

ARTICLE III - The Contractor agrees to conform to the provisions of Chapter 1, Part 7, Division 2 of the Labor Code. The Contractor and any Subcontractor will pay the general prevailing wage rate and other employer payments for health and welfare, pension, vacation, travel time, and subsistence pay, apprenticeship or other training programs. The responsibility for compliance with these Labor Code requirements is on the prime contractor.

ARTICLE IV - And the Contractor agrees to receive and accept the following prices as full compensation for furnishing all materials and for doing all the work contemplated and embraced in this agreement; also for all loss or damage arising out of the nature of the work aforesaid or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until its acceptance by the City, and for all risks of every description connected with the work; also for all expenses incurred by or in consequence of the suspension or discontinuance of work and for well and faithfully completing the work, and the whole thereof, in the manner and according to the Plans and Contract Documents and the requirements of the Engineer under them, to-wit:

Perform the work necessary to mill the existing asphalt concrete pavement to provide a smooth base, pave the street with asphalt concrete overlay with pavement reinforcing fabric, and other incidental and related work, all as shown on the plans and specifications for "Elm Street Asphalt Concrete Overlay, Hutchins Street to Church Street".

CONTRACT ITEMS

| ITEM NO. | DESCRIPTION | UNIT | EST'D. QTY | UNIT PRICE | TOTAL PRICE |
|----------|------------------------------|------|------------|-------------|-------------|
| 1. | Traffic Control | LS | 1 | \$ 7,043.50 | \$ 7,043.50 |
| 2. | Construction Notification | LS | 1 | \$ 625.00 | \$ 625.00 |
| 3. | Water Pollution Control | LS | 1 | \$ 3,500.00 | \$ 3,500.00 |
| 4. | Remove Curb and Gutter | LF | 92 | \$ 23.00 | \$ 2,116.00 |
| 5. | Remove Handicap Ramp | LS | 1 | \$ 450.00 | \$ 450.00 |
| 6. | Pavement Crack Seal | LB | 200 | \$ 8.00 | \$ 1,600.00 |
| 7. | Concrete Subgrade Compaction | SF | 230 | \$ 3.50 | \$ 805.00 |
| 8. | Pavement Repair | SF | 600 | \$ 4.50 | \$ 2,700.00 |
| 9. | Pavement Grinding | SF | 38,850 | \$ 0.30 | \$11,655.00 |
| 10. | Pavement Fabric | SY | 6,130 | \$ 1.75 | \$10,727.50 |
| 11. | Asphalt Concrete | TON | 820 | \$ 80.50 | \$66,010.00 |

| ITEM NO | DESCRIPTION | UNIT | EST'D. QTY | UNIT PRICE | TOTAL PRICE |
|------------|--|------|---------------|-------------|--------------|
| 12. | Concrete Sidewalk | SF | 35 | \$ 16.00 | \$ 560.00 |
| 13. | Concrete Curb and Gutter | LF | 92 | \$ 55.00 | \$ 5,060.00 |
| 14. | Adjust Storm Drain Manhole to Grade | EA | 5 | \$ 525.00 | \$ 2,625.00 |
| 15. | Adjust Water Valve Frame and Cover to Grade | EA | 5 | \$ 350.00 | \$ 1,750.00 |
| 16. | Furnish Water Valve Frame and Cover | EA | 6 | \$ 75.00 | \$ 450.00 |
| 17. | Adjust Monitoring Well Frame and Cover to Grade | EA | 3 | \$ 350.00 | \$ 1,050.00 |
| 18. | Adjust Detector Loop Box Frame and Cover to Grade | EA | 1 | \$ 500.00 | \$ 500.00 |
| 19. | Traffic Striping | LS | 1 | \$ 8,750.00 | \$ 8,750.00 |
| TOTAL | | | | | \$127,977.00 |

ARTICLE V - By my signature hereunder, as Contractor, I certify that I am aware of the provisions of Section 3700 of the Labor Code, which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

ARTICLE VI - It is further expressly agreed by and between the parties hereto that, should there be any conflict between the terms of this instrument and the Bid Proposal of the Contractor, then this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

ARTICLE VII - The City is to furnish the necessary rights-of-way and easements and to establish lines and grades for the work as specified under the Special Provisions. All labor or materials not mentioned specifically as being done by the City will be supplied by the Contractor to accomplish the work as outlined in the specifications.

ARTICLE VIII - The Contractor agrees to commence work pursuant to this contract within 15 calendar days after the City Manager has executed the contract and to diligently prosecute to completion within 18 WORKING DAYS.

WHEN SIGNING THIS CONTRACT, THE CONTRACTOR AGREES THAT THE TIME OF COMPLETION FOR THIS CONTRACT IS REASONABLE AND THE CONTRACTOR AGREES TO PAY THE CITY LIQUIDATED DAMAGES AS SET FORTH IN SECTION 6-04.03 OF THE SPECIAL PROVISIONS. CONTRACTOR AGREES THAT THIS AMOUNT MAY BE DEDUCTED FROM THE AMOUNT DUE THE CONTRACTOR UNDER THE CONTRACT.

IN WITNESS WHEREOF, the parties to these presents have hereunto set their hands the year and date written below.

CONTRACTOR:

CITY OF LODI

By: _____
Konradt Bartlam
City Manager

By: _____

Date: _____

Attest:

Title

City Clerk

(CORPORATE SEAL)

Approved As To Form

D. Stephen Schwabauer
City Attorney



1. AA# _____
 2. JV# _____

CITY OF LODI APPROPRIATION ADJUSTMENT REQUEST

6. REQUEST ADJUSTMENT OF APPROPRIATION AS LISTED BELOW

| | FUND # | BUS. UNIT # | ACCOUNT # | ACCOUNT TITLE | AMOUNT |
|------------------------------|--------|-------------|-----------|--------------------------|--------------|
| A. SOURCE OF FINANCING | 337 | | 3205 | Fund Balance | \$ 79,000.00 |
| | 325 | | 3205 | Fund Balance | \$ 56,400.00 |
| | 325 | 3251 | 5037 | Measure K Bike/Ped Grant | \$ 24,600.00 |
| | | | | | |
| | | | | | |
| B. USE OF FINANCING | 337 | 337011 | 7720 | Elm Street Overlay | \$ 79,000.00 |
| | 325 | 325041 | 7720 | Elm Street Overlay | \$ 81,000.00 |
| | | | | | |
| | | | | | |
| | | | | | |

7. REQUEST IS MADE TO FUND THE FOLLOWING PROJECT NOT INCLUDED IN THE CURRENT BUDGET

Please provide a description of the project, the total cost of the project, as well as justification for the requested adjustment. If you need more space, use an additional sheet and attach to this form.

Contract for Elm Street Overlay Project, Hutchins to Church Street, to Biondi Paving, Inc.

If Council has authorized the appropriation adjustment, complete the following:

Meeting Date: _____ Res No: _____ Attach copy of resolution to this form.

Department Head Signature: Wally Sander

8. APPROVAL SIGNATURES

Deputy City Manager/Internal Services Manager

Date

Submit completed form to the Budget Division with any required documentation.
 Final approval will be provided in electronic copy format.

RESOLUTION NO. 2011-141

A RESOLUTION OF THE LODI CITY COUNCIL
AWARDING ELM STREET ASPHALT CONCRETE
OVERLAY PROJECT, HUTCHINS STREET TO
CHURCH STREET PROJECT, AUTHORIZING THE
CITY MANAGER TO EXECUTE CONTRACT,
APPROPRIATING FUNDS AND DESIGNATING HANDICAP
PARKING AT 215 WEST ELM STREET AND THEREBY
AMENDING TRAFFIC RESOLUTION NO. 97-148

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WHEREAS, in answer to notice duly published in accordance with law and the order of this City Council, sealed bids were received and publicly opened on August 16, 2011, at 1:00 a.m. for the Elm Street Asphalt Concrete Overlay Project, Hutchins Street to Church Street Project, described in the plans and specifications therefore approved by the City Council on July 20, 2011; and

WHEREAS, said bids have been checked and tabulated and a report thereof filed with the City Manager as follows:

| Bidder | Bid |
|----------------------------|---------------|
| Biondi Paving, Inc. | \$ 129,977.00 |
| Knife River Construction | \$ 133,714.50 |
| A.M. Stephens Construction | \$ 136,711.00 |
| Granite Construction | \$ 136,985.00 |
| George Reed, Inc | \$ 144,420.00 |
| Galedrige Construction | \$ 163,426.85 |
| Cazadores Construction | \$ 182,469.00 |
| Legg, Inc. | \$ 198,966.80 |

WHEREAS, staff recommends awarding the contract for the Elm Street Asphalt Concrete Overlay Project, Hutchins Street to Church Street, to the low bidder, Biondi Paving, Inc., of Sacramento, California, in the amount of \$129,977; and

WHEREAS, staff also recommends City Council designate a handicap parking stall at 215 West Elm Street in front of the Lodi Police Station.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby award the contract for the Elm Street Asphalt Concrete Overlay Project, Hutchins Street to Church Street, to the low bidder, Biondi Paving, Inc., of Sacramento, California, in the amount of \$129,977; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute the contract for the project; and

BE IT FURTHER RESOLVED that funds in the amount of \$160,000 be appropriated from Proposition 42, Measure K, and Measure K Bike/Ped funds for this project; and

BE IT FURTHER RESOLVED that the Lodi City Council does hereby designate a handicap parking stall at 215 West Elm Street in front of the Lodi Police Station; and

BE IT FURTHER RESOLVED that City of Lodi Traffic Resolution No. 97-148, Section 3, "Street Parking Restrictions," is hereby amended by the designation of a handicap parking stall, as shown on Exhibit A attached.

Dated: September 7, 2011

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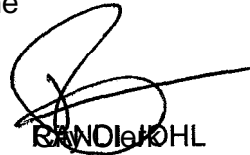
I hereby certify that Resolution No. 2011-141 was passed and adopted by the City Council of the City of Lodi in a regular meeting held September 7, 2011, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Katzakian, Mounce, Nakanishi,
and Mayor Johnson

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

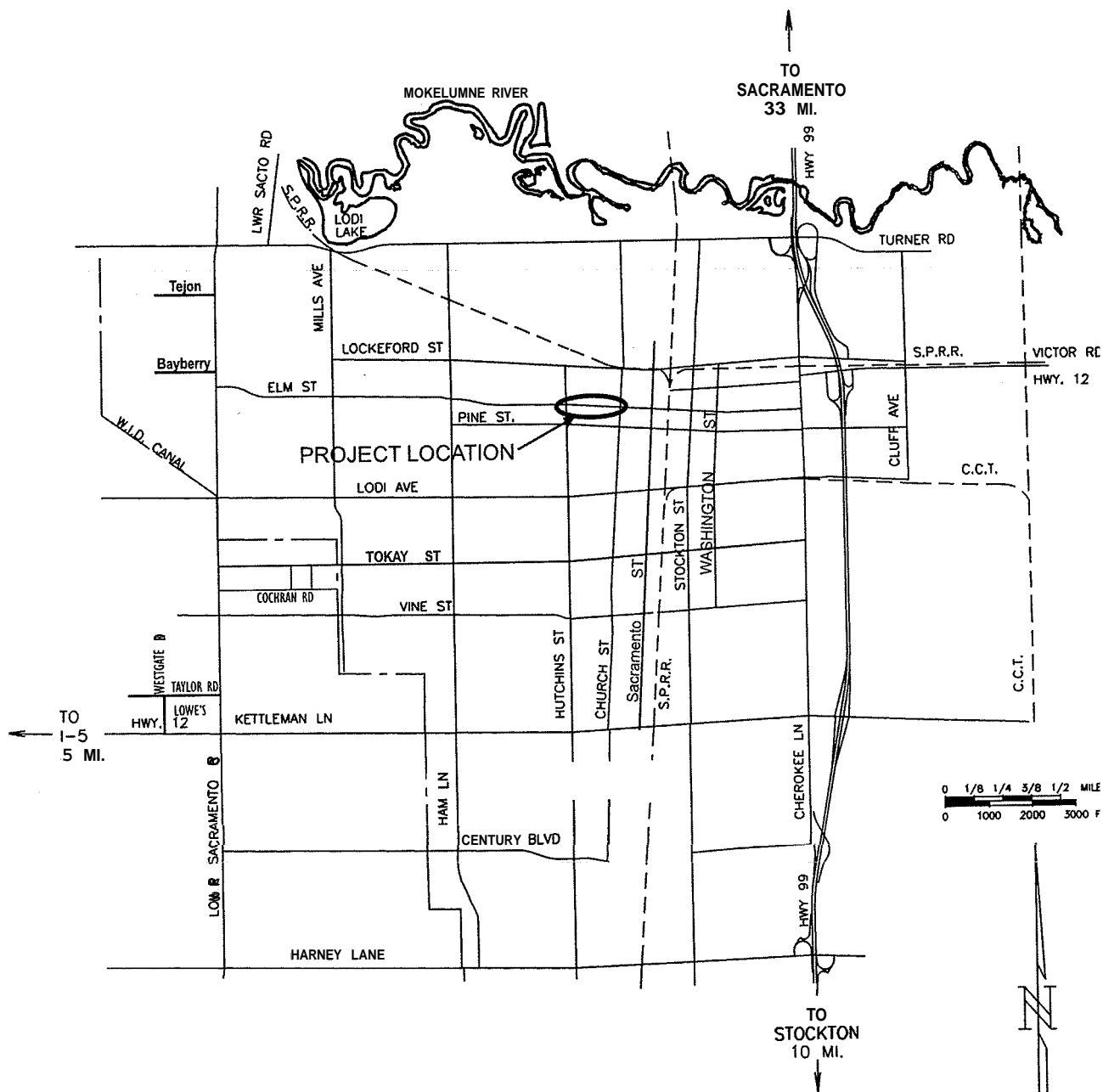
ABSTAIN: COUNCIL MEMBERS – None



RANDY KAHL



Elm Street Overlay Hutchins St to Church St



CITY COUNCIL

BOB JOHNSON, Mayor
JOANNE L. MOUNCE,
Mayor Pro Tempore
LARRY D. HANSEN
PHIL KATZAKIAN
ALAN NAKANISHI

CITY OF LODI
PUBLIC WORKS DEPARTMENT

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6706
FAX (209) 333-6710
EMAIL pwdept@lodi.gov
<http://www.lodi.gov>

KONRADT BARTLAM
City Manager
RANDI JOHL
City Clerk
D. STEVEN SCHWABAUER
City Attorney
F. WALLY SANDELIN
Public Works Director

September 1, 2011

Biondi Paving, Inc.
8150 37th Avenue
Sacramento, CA 95824-2306

SUBJECT: Elm Street Asphalt Concrete Overlay Project
Hutchins Street to Church Street

Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, September 7, 2011. The meeting will be held at 7 p.m. in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the consent calendar and is usually not discussed unless a Council Member requests discussion. The public is given an opportunity to address items on the consent calendar at the appropriate time.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council Meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Randi Johl, City Clerk, at (209) 333-6702.

If you have any questions about the item itself, please call Lyman Chang, Senior Civil Engineer, at (209) 333-6800, extension 2665.



for: F. Wally Sandelin
Public Works Director

FWS/pmf

Enclosure

cc: City Clerk